General Assembly

Distr.: General
3 May 2018

Original: English

Human Rights Council
Expert Mechanism on the Rights of Indigenous Peoples
Eleventh session
9–13 July 2018
Item 2 of the provisional agenda
Adoption of the agenda and organization of work

Annotated provisional agenda

Provisional agenda

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Country engagement.
4. Study and advice on free, prior and informed consent.
5. Coordination meeting of United Nations indigenous rights mechanisms (closed meeting).
6. Interactive dialogue with national human rights institutions, regional human rights institutions and indigenous human rights institutions.
7. United Nations Declaration on the Rights of Indigenous Peoples: good practices and lessons learned.
8. Panel discussion on recognition, reparation and reconciliation.
9. Intersessional activities and follow-up to thematic studies and advice.
10. Future work of the Expert Mechanism, including focus of next annual study.
11. Proposals to be submitted to the Human Rights Council for its consideration and approval.
12. Adoption of studies and reports.

Annotations

1. Election of officers

Pursuant to paragraph 11 of General Assembly resolution 60/251, the Human Rights Council applies the rules of procedure established for committees of the General Assembly, as applicable, unless subsequently otherwise decided by the Assembly or the Council (see A/520/Rev.17). Regarding the election of officers, rule 103 of the rules of procedure provides that each committee should elect a Chair, one or more Vice-Chairs and a Rapporteur.

GE.18-06595(E)
1806595

Please recycle

2. Adoption of the agenda and organization of work

The Expert Mechanism will have before it the provisional agenda of the eleventh session (A/HRC/EMRIP/2018/1) and the annotations contained herein. The Expert Mechanism will adopt the agenda, including any revisions that it may wish to make.

At its thirty-third session, the Human Rights Council decided that the Expert Mechanism should meet annually for up to five days and that the sessions may be a combination of open and private meetings as deemed necessary (see Council resolution 33/25, para. 12). For its eleventh session, the Expert Mechanism will meet for five days, from 9 to 13 July 2018.

Rule 99 of the rules of procedure of the General Assembly provides that each committee should, at the beginning of the session, adopt a programme of work indicating, if possible, a target date for the conclusion of its work, the approximate dates of consideration of items and the number of meetings to be allocated to each item. Accordingly, the Expert Mechanism will have before it for consideration and approval a draft timetable prepared by the secretariat showing the order and distribution of meeting times for each agenda item for the eleventh session.

3. Country engagement

As part of its amended mandate set out in Council resolution 33/25, the Expert Mechanism should, upon request, assist Member States and/or indigenous peoples in identifying the need for and providing technical advice regarding the development of domestic legislation and policies relating to the rights of indigenous peoples.

The Expert Mechanism has carried out two country engagement missions under its amended mandate in 2018 (Finland, 10–16 February; Mexico, 26 February–2 March). Under agenda item 3, the Expert Mechanism will include a dialogue with various stakeholders involved in these missions.

4. Study and advice on free, prior and informed consent

At its tenth session, the Expert Mechanism decided that its next annual study on the status of the rights of indigenous peoples worldwide in the achievement of the ends of the Declaration, mandated by the Council in its resolution 33/25, paragraph 2 (a), would focus on the theme of free, prior and informed consent (see A/HRC/36/57, para. 48).

Accordingly, the Expert Mechanism has prepared a draft study on the issue. To contribute to the study, and following the practice adopted for its previous studies, the Expert Mechanism sent out a call for submissions and examined the issue in greater detail at an expert seminar.

Under agenda item 4, the Expert Mechanism and observers will make comments and suggestions on the draft study. The Expert Mechanism will subsequently finalize the study and submit it to the Council at its thirty-ninth session.

5. Coordination meeting of United Nations indigenous rights mechanisms (closed meeting)

As set out in paragraph 10 of its resolution 33/25, the Council decided that, within its mandate, the Expert Mechanism should coordinate its work and further strengthen its participation, engagement and cooperation, as appropriate, with the Permanent Forum on Indigenous Issues, the Special Rapporteur on the rights of indigenous peoples, the United Nations Voluntary Fund for Indigenous Peoples and other United Nations bodies and processes. The Expert Mechanism will therefore hold a closed meeting of United Nations indigenous rights mechanisms in order to coordinate their work and plan joint initiatives for 2018/19.

6. Interactive dialogue with national human rights institutions, regional human rights institutions and indigenous human rights institutions

When amending its mandate, the Human Rights Council encouraged the Expert Mechanism to enhance its engagement with national human rights institutions (see Council resolution 33/25, para. 11). The Expert Mechanism has therefore decided to devote part of its eleventh session to an interactive dialogue with national and regional human rights institutions in order to examine the role that those institutions can play in achieving the ends of the Declaration and to explore how they can best collaborate with the Expert Mechanism under its new mandate.

7. United Nations Declaration on the Rights of Indigenous Peoples: good practices and lessons learned

In its resolution 6/36, the Human Rights Council recalled that, at its sixty-first session, the General Assembly, in its resolution 61/295, had adopted the United Nations Declaration on the Rights of Indigenous Peoples. In its resolution 33/25, the Council reaffirmed its support for the Declaration.

The amended mandate of the Expert Mechanism is explicitly based on the Declaration, as set out in paragraph 1 of resolution 33/25. Under agenda item 7, the Expert Mechanism will hold an interactive dialogue with the Special Rapporteur on the rights of indigenous peoples, the Chair of the Permanent Forum on Indigenous Issues and the Chair of the Board of Trustees of the United Nations Voluntary Fund for Indigenous Peoples.

8. Panel discussion on recognition, reparation and reconciliation

At its intersessional meeting held in Chile in December 2017, the Expert Mechanism decided to focus its report for 2019, mandated in paragraph 2 (b) of Council resolution 33/25, on recognition, reparation and reconciliation initiatives as they relate to indigenous peoples. For this purpose, it decided to hold a panel discussion during its eleventh session to hear from and engage with experts in this field.

9. Intersessional activities and follow-up to thematic studies and advice

At its eighteenth session, the Human Rights Council welcomed the practice adopted by the Expert Mechanism of devoting specific time to the discussion of updates relevant to past mandated thematic studies of the Expert Mechanism, recommended that the Expert Mechanism adopt this practice on a permanent basis and encouraged States to continue to participate in and contribute to these discussions (see Council resolution 18/8, para. 5). Under this agenda item, the Expert Mechanism will consider follow-up to its previous studies.

The item will also provide an opportunity to discuss intersessional activities of the Expert Mechanism, including its expert seminar on free, prior and informed consent and its intersessional meeting held in Santiago in December 2017.

10. Future work of the Expert Mechanism, including focus of next annual study

Pursuant to paragraph 2 (a) of Human Rights Council resolution 33/25, the Expert Mechanism is to prepare an annual study on the status of the rights of indigenous peoples worldwide in the achievement of the ends of the Declaration, focusing on one or more interrelated articles of the Declaration, decided by the Expert Mechanism, taking into consideration the suggestions received from Member States and indigenous peoples, including challenges, good practices and recommendations. The agenda item will include a discussion regarding the focus of the annual study of the Expert Mechanism on the status of the rights of indigenous peoples worldwide in the achievement of the ends of the Declaration.

11. Proposals to be submitted to the Human Rights Council for its consideration and approval

Pursuant to Human Rights Council resolution 6/36, the Expert Mechanism may make proposals to the Council for its consideration and approval, within the scope of its work as set out by the Council. This may include proposals on how the thematic expertise of the Expert Mechanism could assist in the implementation of the Council's mandate and mechanisms.

12. Adoption of studies and reports

The Expert Mechanism will adopt its study and advice on free, prior and informed consent; a report examining good practices and lessons learned regarding efforts to achieve the ends of the Declaration; and an annual report on its work, including its eleventh session, with a view to submitting those documents to the Human Rights Council at its thirty-ninth session.